

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 7

REDF EQUITIES, LLC,

Case No.: 19-46820-ess

Debtor.

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DAVID J. DOYAGA, SR. as Trustee of the
Estate of REDF EQUITIES, LLC,

Adv. Pro. No.: 21-01008-ess

Plaintiff,

-against-

DAVID AUGENSTEIN,

Defendant.
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**AFFIDAVIT AS TO MILITARY SERVICE
ON DEFAULT OF APPEARANCE BY DEFENDANT**

STATE OF NEW YORK)
)
COUNTY OF SUFFOLK)

Alex E. Tsionis, being duly sworn, deposes and states:

1. I am counsel to David J. Doyaga, Sr., the plaintiff-trustee (the “Plaintiff”) in the above captioned adversary proceeding.

2. I offer this affidavit in support of the Plaintiff’s application seeking the entry of an Order granting judgment upon default.

3. The undersigned, to the best of his abilities, accessed the online website of the Defense Manpower Data Center (“DMDC”), which serves under the Office of the Secretary of Defense, and is responsible for collating personnel, manpower, training, financial, and other data for the Department of Defense.

4. On April 7, 2021, the undersigned, to the best of his abilities, accessed the DMDC website identified in the Plaintiff's Memorandum of Law and provided the above-captioned defendant's (the "Defendant") name and birthdate to determine if he is on active-duty status or not.

5. According to the DMDC, the Defendant is not on active-duty status. Thus, Section 201(b)(1) of the Soldiers' and Sailors' Civil Relief Act is not applicable or offended here, and default judgment may be issued by this Court as against the Defendant and in favor of the Plaintiff.

/s/ Alex E. Tsionis
Alex E. Tsionis

Sworn to before me this
7th day of April, 2021

/s/ Avrum J. Rosen
Avrum J. Rosen
Notary Public, State of New York
No. 02RO4872542
Qualified in Suffolk County
Commission Expires September 8, 2022